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573519

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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17

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 11/5/58

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 5-35, 110-116, 125, 126, 128 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☒ Claim(s) 1, 110, 111, 125, 126, 128 is/are allowed.

☒ Claim(s) 5-35, 112-116 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

SERIAL NUMBER 08/573519

ART UNIT 2772

1. The request filed on 11/09/98 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/573,519 is acceptable and a CPA has been established. An action on the CPA follows.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-35, and 112-116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Strasnick et al.

With respect to claim 5, Strasnick et al. Teaches the claimed linked data display method, where the linked data is taught as hierarchical data and directed data; first data and second data

being linked in the hierarchy; and, displayed mutually distinguishably by determining sizes thereof according to a distance of a linkage, by using the zoom feature which distinguishes the size between close and distant data, where the distance is associated with the linkage.

The whole patent describes the claimed invention in detail, with the zoom feature being detailed at column 9. Of particular importance is that Strasnick et al. zooms or navigates through an information landscape, i.e., a three-dimensional graphic space which represents any type of hierarchical or related data, which any type of data can mapped to the information landscape. With respect to claim 5, Strasnick et al. teaches displaying data items included within a similar level of linkage position in a substantially same size, at figure 5B where each level of the tree is displayed at a particular distance, and within a level the data items are of substantially the same size; and displaying first and second data items linked to the first data items which are not included within the similar level of linkage position, mutually distinguishably in different sizes determined according to a distance of a linkage between the first and second data, at figure 5B, where the child nodes being a further distance from their parents are at a different level and are of a different size.

While Strasnick et al. may not explicitly teach the displaying simultaneously feature, it would have been obvious to one of ordinary skill in the art to consider this displaying as simultaneous because a CRT display presents image faster than the human perception can distinguish.

With respect to the claimed feature that an interval of time is the distance of a linkage, Strasnick et al. teaches that the user may represent any underlying relationship he desires to express a 3D graphical display space, at column 5, with several suggestions which imply an interval of time as the distance. At column 7, lines 62-64, Strasnick et al. teaches functionality

which enables users to observe changes over time, for example quarterly sales data. At column 5 lines 10-15, Strasnick et al teaches connectors connecting parents and children. This suggests a genealogy in a 3D space with the connectors representing time periods between generations. The time periods between generations can also be considered accumulated time which is hierarchical. While Strasnick et al. explicitly teaches hierarchical and directed data, as outlined above, it is noted that time-series is not explicitly taught. Official Notice is taken that both the concept and the advantages of providing for displays which include the time-series data items accumulated time-sequentially and displayed according to temporal distance are consistent, or inherent in directed graph data, which is taught by Strasnick et al. at column 22 lines 35-37. 3. Further, Strasnick et al. more directly implies this feature at column 23 with the teaching of first through fourth quarters, which are a time-series. It would have been obvious to one of ordinary skill in the art at the time of the instant invention to use time series because directed graph data was commonly used for time scheduling, and time management.

Claim 21 is similar to claim 5 but requires correspondence to a schedule table. Strasnick et al. teaches these structures at column 22.

Claim 22 is similar to claim 21 but requires a retrieving means. Strasnick et al. this at columns 2-3.

Claim 35 is similar to claim 21 and is rejected under a similar rationale.

Claims 112 and 115 are similar to claims 22 and 21 respectively, and are rejected under similar rationales.

Claims 6-20, 23-34, 113, 114, and 116 further require features specific to navigating through a three-dimensional graphic space, including changing sizes according to distance, which is taught by Strasnick et al.

4. Claims 1, 110, 111, 125, 126, and 128 are allowed.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Almis Jankus whose telephone number is (703) 305-9795. The examiner can normally be reached on M-F from 9 to 5.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.



ALMIS R. JANKUS
PRIMARY EXAMINER

AJ

December 18, 1998